

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 2. Agricultural Burning Guidelines

Article 1. General Provisions

§ 80120. Burning Permits.

(a) No person shall knowingly set or allow agricultural or prescribed burning unless he or she has a valid permit from a district or designated agency. No burning shall be conducted pursuant to such permit without specific district approval consistent with these Guidelines. Burning conducted pursuant to each permit must comply with all conditions specified on the permit. A violation of this subsection is a violation of section 41852 of the California Health and Safety Code.

(b) The form of burning permits shall be prepared by the air districts in consultation with the designated agencies.

(c) The form of the permit shall contain the following words or words of similar import: "This permit is valid only on those days during which agricultural burning, including prescribed burning, is not prohibited by the State Air Resources Board or by an air district pursuant to section 41855 of the Health and Safety Code, and when burning on the lands identified herein has been approved by the air district."

(d) Each air district shall provide the designated agencies within the district with a copy of these Guidelines, related information on state laws, air district rules and regulations, and other information as appropriate.

(e) An air district may, by special permit, authorize agricultural burning, including prescribed burning, on days designated by the ARB as no-burn days if the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning, a district shall limit the amount of material which can be burned in any one day and only authorize burning which is not likely to cause or contribute to exceedences of air quality standards or result in smoke impacts to smoke sensitive areas.

(f) Permits issued by designated agencies shall be subject to these Guidelines and to the rules and regulations of the district. Designated agencies shall submit to the air districts information as specified by the air district.

(g) Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.

(h) Each applicant for a permit shall provide information requested by the district.

NOTE: Authority cited: Sections 39600, 39601, 41856 and 41859, Health and Safety Code. Reference: Sections 41852, 41853, 41854, 41855, 41856, 41857, 41858, 41859, 41861, 41862 and 41863, Health and Safety Code.

REFERENCE